

## Cases Disposed of Without Consideration by the Court.

No. 544. BALTIMORE AND OHIO RAILROAD COMPANY ET AL., PETITIONERS, *v.* WABASH RAILROAD COMPANY. January 12, 1903. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Seventh Circuit denied. *Mr W H. H. Miller, Mr Hugh L. Bond, Jr., and Mr J H. Collins* for the petitioners. *Mr Addison C. Harris and Mr Wells H. Blodgett* for the respondent.

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From October 13, 1902, to January 18, 1903.

Nos. 253 and 254. SUN LIFE INSURANCE COMPANY OF AMERICA, PLAINTIFF IN ERROR, *v.* ALBERT McCABE. In error to the County Court of Dallas County, Texas. October 14, 1902. Dismissed with costs, on motion of *Mr Maurice E. Locke* for the plaintiff in error. *Mr Maurice E. Locke* for the plaintiff in error. No appearance for the defendant in error.

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No. 71. CITY OF AUSTIN, PLAINTIFF IN ERROR, *v.* E. C. BARTHOLOMEW ET AL., RECEIVERS. In error to the Circuit Court of the United States for the Western District of Texas. October 14, 1902. Dismissed with costs, on motion of counsel for plaintiff in error. *Mr S. R. Fisher* for the plaintiff in error. No appearance for the defendants in error.

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No. 112. PEOPLE OF THE STATE OF NEW YORK *ex rel.* CAYADUTTA PLANK ROAD COMPANY, PLAINTIFF IN ERROR, *v.* CURTIS S. CUMMINGS, MAYOR, ET AL. In error to the Supreme Court of the State of New York. October 14, 1902. Dismissed with costs, on motion of counsel for the plaintiff in error. *Mr Harwood Dudley* for the plaintiff in error. No appearance for the defendants in error.

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No. 245. O. E. COPE, APPELLANT, *v.* LANDA H. BRADEN. Appeal from the Supreme Court of the Territory of Oklahoma. October 14, 1902. Dismissed with costs, on motion of counsel for appellant. *Mr Horace Speed* for the appellant. No appearance for the appellee.

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No. 6. GLUCOSE SUGAR REFINING COMPANY, PLAINTIFF IN ERROR, *v.* GEORGE F HARDING ET AL. In error to the Supreme Court of the State of Illinois. October 14, 1902. Dismissed with costs, pursuant to the 10th rule. *Mr John P Wilson*, *Mr Thomas A. Moran* and *Mr John J Herrick* for the plaintiff in error. No appearance for the defendants in error.

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No. 3. MANCHESTER FIRE ASSURANCE COMPANY OF MANCHESTER, ENGLAND, ET AL., APPELLANTS, *v.* JOHN HERRIOTT, TREASURER OF THE STATE OF IOWA, ET AL. Appeal from the Circuit Court of the United States for the Southern District of Iowa. October 14, 1902. Dismissed per stipulation, on motion of *Mr C. W Mullan* for the appellees. *Mr A. H. McVey* and *Mr Wm. Allen Butler* for the appellants. *Mr Milton Remley* and *Mr Charles W Mullan* for the appellees.

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No. 25. SCOTTISH UNION AND NATIONAL INSURANCE COMPANY OF EDINBURGH, SCOTLAND, AND LONDON, ENGLAND, PLAINTIFFS IN ERROR, *v.* JOHN HERRIOTT, ETC. In error to the Supreme Court of the State of Iowa. October 14, 1902. Dismissed per stipulation, on motion of *Mr C. W Mullan* for the defendant in error. *Mr A. H. McVey* for the plaintiff in error. *Mr Charles W Mullan* for the defendant in error.

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No. 475. HAROLD CROWLEY, APPELLANT, *v.* UNITED STATES. Appeal from the District Court of the United States for the District of Porto Rico. October 20, 1902. Docketed and dis-

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missed, on motion of *Mr Assistant Attorney General Hoyt* for the appellee. No one opposing.

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No. 129. NEW ORLEANS AND WASHINGTON PACKET COMPANY, APPELLANT, *v.* RAILROAD COMMISSION OF LOUISIANA. Appeal from the Circuit Court of the United States for the Eastern District of Louisiana. October 20, 1902. Dismissed, each party to pay its own costs, per stipulation. *Mr J D Rouse* for the appellant. *Mr Walter Guron* for the appellee.

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No. 164. GEORGE A. BLINN, JR., ET AL., APPELLANTS, *v.* DAN JENKINS ET AL. Appeal from the Circuit Court of the United States for the Northern District of Alabama. October 20, 1902. Dismissed with costs, per stipulation. *Mr James L. Tanner* for the appellants. *Mr J W Smith* for the appellees.

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No. 334. HENRY THOMAS, PETITIONER, *v.* INTERSTATE BUILDING AND LOAN ASSOCIATION. On petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit. October 21, 1902. Dismissed on motion of *Mr Thomas H. Clark* for the petitioner. *Mr James B. Stubbs* and *Mr Thomas H. Clark* for the petitioner. No appearance for the respondent.

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No. 485. DU SHEN TAU ET AL., APPELLANTS, *v.* UNITED STATES, No. 486. LEE CHIN CHING, APPELLANT, *v.* UNITED STATES, and No. 487. MOY YEE TAI ET AL., APPELLANTS, *v.* UNITED STATES. Appeals from the District Court of the United States for the Northern District of New York. October 27, 1902. Docketed and dismissed, on motion of *Mr Solicitor General Richards* for the appellee. No one opposing.

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No. 133. SOUTHERN PACIFIC RAILROAD COMPANY, PLAINTIFF IN ERROR, *v.* FRANK A. WOOD ET AL. In error to the Supreme

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Court of the State of California. November 3, 1902. Dismissed with costs, on motion of counsel for plaintiff in error. *Mr Maxwell Evarts* for the plaintiff in error. No appearance for the defendants in error.

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No. 134. SOUTHERN PACIFIC RAILROAD COMPANY, PLAINTIFF IN ERROR, *v.* FREDERICK B. JACK ET AL. In error to the Supreme Court of the State of California. November 3, 1902. Dismissed with costs, on motion of counsel for the plaintiff in error. *Mr Maxwell Evarts* for the plaintiff in error. No appearance for the defendants in error.

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No. 5. RAILROAD EQUIPMENT COMPANY, APPELLANT, *v.* SOUTHERN RAILWAY COMPANY ET AL. On writ of certiorari to the United States Circuit Court of Appeals for the Sixth Circuit. November 6, 1902. Dismissed with costs, per stipulation. *Mr Tully R. Cormick*, *Mr Wager Swayne* and *Mr Alex. C. King* for the appellant. *Mr Francis Lynde Stetson*, *Mr Leon Jourolmon* and *Mr W. A. Henderson* for the appellees.

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No. 503. RICHARD C. KETCHUM, PLAINTIFF IN ERROR, *v.* UNITED STATES. In error to the Circuit Court of the United States for the Eastern District of Texas. November 10, 1902. Docketed and dismissed, on motion of *Mr Solicitor General Richards* for the defendant in error. No one opposing.

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No. 99. OWEN McCANN, ETC., PLAINTIFF IN ERROR, *v.* COMMONWEALTH OF PENNSYLVANIA FOR USE OF LEVI WELLS, DAIRY AND FOOD COMMISSIONER. In error to the Supreme Court of the State of Pennsylvania. November 13, 1902. Dismissed with costs, pursuant to the 10th rule. *Mr Simon R. Huss* for the plaintiff in error. *Mr John P Elkins* for the defendant in error.

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No. 110. WILLIAM K. VANDERBILT ET AL., TRUSTEES ET AL., PLAINTIFFS IN ERROR, *v.* BIRD S. COLER, COMPTROLLER, ETC. In error to the Surrogate's Court of New York County, State of New York. December 1, 1902. Dismissed, per stipulation. *Mr Chandler P Anderson* for the plaintiffs in error. *Mr Tabish Holmes, Jr.*, for the defendant in error.

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No. 114. TEXAS AND PACIFIC RAILWAY COMPANY, PLAINTIFF IN ERROR, *v.* GEORGE R. L. WHITE. In error to the United States Circuit Court of Appeals for the Fifth Circuit. December 3, 1902. Dismissed with costs, on authority of counsel for the plaintiff in error. *Mr John F Dillon*, *Mr W S Pierce* and *Mr D D Duncan* for the plaintiff in error. *Mr John L. Sheppard* for the defendant in error.

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No. 7. AUGUSTUS BURGDORF ET AL., PLAINTIFFS IN ERROR, *v.* UNITED STATES TO THE USE OF THE VERMONT MARBLE COMPANY. In error to the Court of Appeals of the District of Columbia. December 11, 1902. Dismissed with costs, on motion of *Mr William G Johnson* for the plaintiffs in error. *Mr J J Darlington*, *Mr Calderon Carlisle* and *Mr William G Johnson* for the plaintiffs in error. *Mr John B. Cotton* for the defendant in error.

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No. 401. ELIAS F BARNES, APPELLANT, *v.* DISTRICT OF COLUMBIA. Appeal from the Court of Claims. December 15, 1902. Dismissed on motion of *Mr John C. Fay* for the appellant. *Mr John C. Fay* and *Mr John W Douglass* for the appellant. *The Attorney General* for the appellee.

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No. 287. GEORGE B. ROMMEL ET AL., APPELLANTS, *v.* COUNTY COURT OF BARBOUR COUNTY ET AL. Appeal from the Circuit Court of the United States for the Northern District of West Virginia. December 15, 1902. Dismissed, clerk's costs to be

## Cases Dismissed in Vacation.

paid by appellants, per stipulation of counsel. *Mr John H. Holt* and *Mr Melville D. Post* for the appellants. *Mr Alston G. Dayton* for the appellees.

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*Cases Dismissed in Vacation.*

No. 365. LEE LING ET AL., APPELLANTS, v. THE UNITED STATES, No. 366. SAY ON ET AL., APPELLANTS, v. THE UNITED STATES, No. 367. KING DUNG, APPELLANT, v. THE UNITED STATES, and No. 368. YEE TOY ET AL., APPELLANTS, v. THE UNITED STATES. Appeals from the District Court of the United States for the Northern District of New York. June 25, 1902. Docketed and dismissed on motion of the Attorney General. No one opposing.

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No. 411. LEE AH YIN, APPELLANT, v. THE UNITED STATES. Appeal from the United States Circuit Court of Appeals for the Ninth Circuit. October 9, 1902. Dismissed pursuant to the 28th rule. *Mr Franklin H. Mackey* for the appellant. *The Attorney General* for the appellee.

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